



DANIEL HARRIGAN, MAYOR



Margo Sommerville, President

Jeff Fusco, Vice-President

Mike Freeman, President Pro-Tem

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| Jeff Fusco, At-Large | Tara Mosley, Ward 5 |
| Linda Omobien, At-Large | Brad McKittrick, Ward 6 |
| Ginger Baylor, At-Large | Donnie Kammer, Ward 7 |
| Nancy Holland, Ward 1 | Shammas Malik, Ward 8 |
| Phil Lombardo, Ward 2 | Mike Freeman, Ward 9 |
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| Russel Neal, Ward 4 | www.akroncitycouncil.org |

Council Agenda for November 27, 2023

Regular Meeting held on November 20, 2023. All members were present, except Baylor and Holland. Minutes of the previous meeting approved. Ayes: 10, Nays: 0 (Neal abstained).

CONSENT AGENDA

- 1 ORDINANCE authorizing the Mayor or his designee to co-sponsor, with the City of Cuyahoga Falls, an application for and, if awarded, expend grant funding from Akron Metropolitan Area Transportation Study (“AMATS”) for the Akron-Peninsula Road Multi-Use Trail; and declaring an emergency. (Planning and Economic Development)
- 2 ORDINANCE authorizing the Director of Public Service to enter into a contract or contracts, after publicly advertising for bids, for the construction of the Good Park Golf Course Booster Pump Station; and declaring an emergency. (Public Utilities and Green)
- 3 ORDINANCE authorizing the Director of Public Service or his designee to apply for and, if awarded, to accept and expend the Ohio’s Urban Forestry Grant Program Inflation Reduction Act Grant; and declaring an emergency. (Public Utilities and Green)
- 4 ORDINANCE authorizing the Director of Public Service or his designee to apply

for and, if awarded, to accept and expend the USDA Forest Service Wood Innovation Grant; and declaring an emergency. (Public Utilities and Green)

RULES (M. Freeman, Chair)

FIRST READING AND REFERRED:

- 1 ORDINANCE amending and/or supplementing Title 3, Chapter 30 “Mayor and Council,” Section 30.01 “Meetings” of the Akron Codified Ordinances in order to provide for safe, accessible, and efficient City Council Meetings; and declaring an emergency. (11/20/2023)
- 2 RESOLUTION amending Resolution No. 2-2021, to amend and/or supplement the “Rules of Procedure for the Akron City Council;” and declaring an emergency. (11/20/2023)

BUDGET & FINANCE (M. Freeman, Chair)

TIME:

- 1 RESOLUTION urging City of Akron to reallocate COVID - 19 funds from restaurants to Forever R Children’s Shower Bus; and declaring an emergency. (11/13/2023)

PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chair)

TIME:

- 1 ORDINANCE authorizing a Conditional Use to construct an outdoor advertising display on the east side of Sumner Street, south of I-76; and declaring an emergency. (10/2/2023) (Public Hearing held 11/13/2023)
- 2 D-728 Petition of KSN LLC for a Conditional Use to Establish a Laundromat at 147 N. Arlington St PC-2023-49-CU (11/06/2023)
- 3 D-729 Petition of White Pond Holdings, LLC, for a Conditional Use to Construct an Office, Retail and Medical Marijuana Dispensary Development and Sale of City-Owned Land on the West Side of White Pond Drive, South of Frank Boulevard (Parcel 68-62331) PC-2023-59-CU&S (11/06/2023)
- 4 D-730 Petition of Keisha Burney for a Conditional Use to Establish a Type A Daycare Home at 782 Bellevue Avenue PC-2023-60-CU (11/06/2023)
- 5 D-731 Subdivision approval of the Meridian Street Allotment at the

Southern Terminus of Meridian Street, South of E Tallmadge Avenue
PC-2023-61-A (11/06/2023)

- 6 ORDINANCE amending The Zoning Map by changing the Apartment House Use District Classification (U2, H2, A2) Use on property located south of the properties fronting E. Market Street from Fountain Street east to Ivan Place to a Retail Business Use District Classification (U3, H4, A5) Use; and declaring an emergency. (9/18/2023) (Public Hearing was held 10/30/2023)
- 7 ORDINANCE amending/supplementing Title 15, Chapter 153, “Zoning Code”, Section 153.140 “Definitions” and Section 153.310 “Business and Industry requirements” by establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (Substitute offered as an amendment was read in 9/18/2023) (Public Hearing was held 10/30/2023)
- 8 ORDINANCE amending/supplementing Title 15, Chapter 153, “Zoning Code”, Article 1 “General Provisions” and Article 6 “Development and Area District Requirements” regarding the East Market Street Urban Overlay Area; and declaring an emergency. (10/16/2023) (Public Hearing was held 10/30/2023)
- 9 RESOLUTION urging the modification of Akron City Council Resolution #159-2010 and vacation of the current honorary designation of a portion of Olive Street near St. Thomas Hospital as “Dr. Bob’s Way;” urging acceptance of a new honorary designation of a section of Ardmore Avenue, between West Exchange Street and North Portage Path, as “Dr. Bob’s Way;” urging the Administration to take actions consistent with this vacation and new designation, including the removal of existing signage and the creation and placement of new signage on or near Ardmore Avenue; and declaring an emergency. (10/16/2023)
- 10 D-708 Petition of Dan Nielsen, Dba Kenjoh Outdoor Advertising, for a Conditional Use to Install an Outdoor Advertising Display on the East Side of Sumner Street, South of Interstate 76 PC-2023-43-CU (9/11/2023)
- 11 ORDINANCE authorizing a Conditional Use to establish a kennel at 640 E. Catawba Avenue; and declaring an emergency. (3/27/2023) (Public Hearing was held 4/24/2023)
- 12 D-633 Petition of Laura Lawson, dba Safe Harbor for Strays, for a Conditional Use to establish a kennel at 640 E. Catawba Ave PC-2023-11-CU (3/13/2023)

- 13 D-576 Petition of Abraham Zabay for a Conditional Use to Establish an auto dealership at 338 N. Arlington Street (PC-2022-52-CU)
- 14 ORDINANCE authorizing a Conditional Use to establish an auto dealership at 338 N. Arlington Street; and declaring an emergency. (11/28/2022) (Public Hearing was held 1/23/2023)
- 15 D-500 Petition of Ramon Hernandez for a Conditional Use to establish a short-term rental at 1764 Thornapple Avenue. (6/6/2022)
- 16 ORDINANCE authorizing a Conditional Use to expand a business at 745 E. Archwood Avenue; and declaring an emergency. (9/12/2022) (Public Hearing was held 10/3/2022)
- 17 D-534 Petition of RVR Realty & Investment for a Conditional Use to expand a business at 745 E. Archwood Avenue (9/12/2022)
- 18 ORDINANCE amending Title 15 “Land Usage”, Chapter 153, “Zoning Code” to reflect the enactment of the Title 15, Chapter 155 “Sign Code”; and declaring an emergency. (5/2/2022) (Public Hearing was held May 9, 2022)
- 19 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road; and declaring an emergency. (12/6/21) (Public Hearing was held January 24, 2022)
- 20 D-371 Petition of Alicia Lee, for a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road. (PC-2021-58-CU) (PC-2021-38-CU) (11/15/21)
- 21 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue; and declaring an emergency. (Public Hearing was held 9/20/2021)
- 22 ORDINANCE authorizing a Conditional Use to construct a parking lot at 921 Cordova Avenue for the Maple Valley Resource Center at 1474 Copley Road; and declaring an emergency. (9/18/2023) (Public Hearing held 9/25/2023)
- 23 D-302 Petition of Mayamu Konneh for a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue. (PC-2021-37-CU) (9/13/21)
- 24 ORDINANCE authorizing a Conditional Use to establish and construct an addition to a bed and breakfast at 814 Bloomfield Avenue; and declaring an emergency. (Public Hearing was held 9/13/21)

- 25 D-285 Petition of Louie Berrodin for a Conditional Use to establish a bed and breakfast and construct an addition at 814 Bloomfield Avenue (PC-2021-30-CU) (7/12/21)
- 26 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 27 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 28 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)
- 29 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 30 ORDINANCE authorizing a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)
- 31 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)

FILED:

- 32 D-714 Petition of Jason Butterworth for a Conditional Use to construct an oversized detached garage with a home office at 2280 Tinkham Road PC-2023-53-CU (10/16/2023)
- 33 D-716 Petition of Carol K. Vargo for a Conditional Use to vary the required side yard setback to construct a dwelling addition at 2259 Cross Creek Trail PC-2023-55-CU (10/16/2023)

PUBLIC SERVICE (T. Mosley, Chair)

NO ITEMS

PUBLIC UTILITIES & GREEN (M. Freeman, Chair)

NO ITEMS

PUBLIC SAFETY (D. Kammer, Chair)

FIRST READING AND REFERRED:

- 1 ORDINANCE amending and/or supplementing Title 7, “Traffic Code,” Chapter 72, “Traffic Rules,” Section 72.38, and Chapter 76 “Parking Regulations,” Section 76.15 of the Codified Ordinances of the City of Akron; and declaring an emergency. (11/20/2023)

TIME:

- 2 ORDINANCE authorizing the Mayor or his designee to enter into a contract or contracts with the County of Summit Alcohol, Drug Addiction & Mental Health Services Board (ADM) for the purpose of establishing a mobile behavioral health crisis response service, purchase required equipment, and accept reimbursement from ADM for costs; and declaring an emergency. (10/16/2023)

PARKS & RECREATION (P. Lombardo, Chair)

NO ITEMS

HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chair)

NO ITEMS

HEALTH & SOCIAL SERVICES (L. Omobien, Chair)

NO ITEMS

FILED

NO ITEMS

ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING

ORDINANCE NO. 350-2023 authorizing the Mayor, or his designee, to enter into a contract or contracts with the Board of Education of the Akron Public School District for the Community Learning Centers’ Akron After School Program in order to provide learning enrichment activities; and declaring an emergency. Vote: 11-0.

ORDINANCE NO. 351-2023 authorizing the Director of the Department of

Planning and Urban Development to enter into a contract or contracts for transportation planning services in order to carry out the intent and purpose of programs under the Federal Consolidated Planning Grant for the calendar year ending December 31, 2024, and in order to further the Akron Metropolitan Area Transportation Study's ("AMATS") goals and objectives of maintaining a cooperative, continuous, and comprehensive framework for making transportation investment decisions in the Akron metropolitan area; and declaring an emergency. Vote: 11-0.

ORDINANCE NO. 352-2023 declaring certain improvements to real property located in the Firestone Park Urban Redevelopment Area to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the "Act"); and declaring an emergency. Vote: 11-0.

ORDINANCE NO. 353-2023 declaring certain improvements to real property located in the Great Streets Akron Initiative Area to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the "Act"); and declaring an emergency. Vote: 11-0.

ORDINANCE NO. 354-2023 declaring certain improvements to real property located in the Exchange Street - Opportunity Park Urban Renewal District to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the "Act"); and declaring an emergency. Vote: 11-0.

ORDINANCE NO. 355-2023 authorizing a Conditional Use to construct an oversized detached garage with a home office at 2280 Tinkham Road; and declaring an emergency. (10/30/2023) (Public Hearing held 11/20/2023) Vote: 11-0.

ORDINANCE NO. 356-2023 authorizing a Conditional Use to vary the required side yard setback to construct an addition at 2259 Cross Creek Trail; and declaring an emergency. (10/30/2023) (Public Hearing held 11/20/2023) Vote: 11-0.

RESOLUTION NO. 357-2023 expressing sympathy for the innocent civilians victimized by the war in Israel and Palestine; condemning violence of any kind;

affirming Akron’s status as a welcoming community for those of the Jewish and Islamic religions and any other religion; encouraging residents to offer support and sincere condolences to members of the Jewish and Palestinian communities of Akron and all over the world; and declaring an emergency. (Substitute was offered as an amendment 11/20/2023) Vote: 11-0.

ORDINANCE NO. 358-2023 providing for the temporary appropriation for the current expenses and other expenditures of the City of Akron for the period of January 1, 2024 through March 31, 2024; and declaring an emergency. (11/13/2023) Vote: 11-0.

RESOLUTION NO. 359-2023 allowing City Council to conduct its regular meeting at 5:00 p.m. on Monday, December 11, 2023; and declaring an emergency. Vote: 11-0.

ORDINANCE NO. 360-2023 authorizing the Mayor or his designee to enter into a contract or contracts, without the formality of publicly advertising for bids, with Checkr to provide pre-employment background checks; and declaring an emergency. Vote: 11-0.

COMMITTEE MEETINGS Scheduled for November 27, 2023:

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| 1:00 P.M. | Planning & Economic Development | 2:30 P.M. | Health & Social Services |
| 1:45 P.M. | Parks & Recreation | 2:45 P.M. | Public Utilities & Green |
| 2:00 P.M. | Rules | 3:00 P.M. | Budget & Finance |
| 2:00 P.M. | Public Service | Subject to call | Housing & Neighborhood Assistance |
| 2:15 P.M. | Public Safety | | |

NEW LEGISLATION

RULES

- 0 RESOLUTION celebrating November as Native American Heritage Month; recognizing the rich local history of Native Americans in the Akron area; honoring the contributions of Native people to our community; and declaring an emergency.
- 0A ORDINANCE authorizing the Director of Law, or their designee, to enter into a contract or contracts, without the formality of publicly advertising for bids, for the provision of professional services necessary or attendant to the provision of legal services to the City of Akron during the year 2024; and

declaring an emergency.

- 0B RESOLUTION acknowledging the City Administration's deletion and removal of "Section 56" from the City of Akron's annual operating budget; reaffirming City Council's decision and commitment to ensuring that City contracts involving expenditures in excess of \$50,000 are reviewed and authorized by Council; and declaring an emergency.

BUDGET & FINANCE

- 1 ORDINANCE repealing and replacing Ordinance No. 291-2021, creating, establishing, and recognizing departments, offices, bureaus, divisions and positions in the classified service of the City of Akron; requiring that only budgeted funded positions be filled; and declaring an emergency.

PLANNING & ECONOMIC DEVELOPMENT

- 2 ORDINANCE authorizing a Conditional Use to establish a laundromat at 147 N. Arlington Street; and declaring an emergency. (To be scheduled for Public Hearing)
- 3 ORDINANCE authorizing a Conditional Use to construct an office, retail and medical marijuana dispensary on the west side of White Pond Drive, north of Naify Boulevard; and declaring an emergency. (To be scheduled for Public Hearing)
- 4 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 782 Bellevue Avenue; and declaring an emergency. (To be scheduled for Public Hearing)

HEALTH & SOCIAL SERVICES

- 5 RESOLUTION approving and confirming the appointment of Kim Ventresca to the City of Akron Commission on Aging for a three-year term; and declaring an emergency.